

REMARKS

Claims 57-70 are now pending, and remain in the form listed in the Supplemental Response mailed on January 4, 2005. These remarks are in response to the Office Action mailed on March 28, 2005.

The remarks made in the Response filed January 3, 2005 and the Supplemental Response filed on January 4, 2005 are incorporated herein by reference.

Claims 57-70 were added in the January 3, 2005 Response, and the March 28, 2005 Office Action states that the January 3 Response is “not fully responsive” since (a) “no relevance statement [has] been made of the newly presented claims” and (b) “a statement should be made of the newly presented claims in light of the specification.” 37 CFR 1.111 was then cited. Applicants are not clear on the meanings of the above statements – for example, 37 CFR 1.111 says nothing about statements of relevance.

However, Applicants assume that the intent of the Office Action was to request compliance with the requirements of 37 CFR 1.111 – in particular, the requirements applicable to newly added claims. Those requirements appear to be: (1) that the reply present arguments pointing out the specific distinctions believed to render the newly presented claims patentable over the applied references, and (2) that the reply point out how the newly presented claims overcome the objections made to the previously-pending claims.

In the Response filed January 3, Applicants stated that the grounds for rejection were improper: (1) because the December 15, 2004 Office Action provided “no teaching or motivation to combine the references,” (2) because it was “not clear that references are analogous art,” (3) because the claims were not addressed separately, and (4) because the “references don’t appear to disclose the elements for which they are cited.” These arguments were not presented in detail because the previously-pending claims were canceled, but they are believed to be sufficient to satisfy 37 CFR 1.111, since they also are sufficient to overcome a 103 rejection of the newly-presented claims. That is, if there is no teaching or motivation to combine the cited references, those references cannot be combined to render either set of claims (old or new) invalid. Likewise, if the references are non-analogous art to the old claims, they also are non-analogous to the new claims. Thus, Applicants respectfully submit that the Response filed January 3, 2005 *was* fully responsive.

In any event, the newly presented claims are easily distinguished over the references cited: none of those references appears to teach, for example, a multivariate regression analysis, let alone calculating a fair value of an asset based on a multivariate regression analysis and on values of at least two variables related to that asset, as required by claim 57.

Further, although the pending Office Action does not seem to require it, Applicants state that the newly-added claims are supported in the specification at pages 10-21.

Finally, Applicants respectfully request, pursuant to CFR 1.111(b), that any additional objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated.

No fee is believed to be due with this submission. If any fees are required, please charge such fees to Morgan, Lewis & Bockius LLP's Deposit Account No. 50-0310.

Respectfully submitted,

Date: April 7, 2005

By: Steven D. Underwood 47,205
Steven D. Underwood (Reg. No.)
Morgan, Lewis & Bockius LLP
101 Park Avenue
New York, New York 10178
Customer No. 09629
(212) 309-6196